

AMENDED IN ASSEMBLY SEPTEMBER 6, 2013

AMENDED IN ASSEMBLY JUNE 18, 2013

AMENDED IN SENATE APRIL 30, 2013

**SENATE BILL**

**No. 562**

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**Introduced by Senator Galgiani**

February 22, 2013

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An act to amend Section 1657 of the Business and Professions Code, relating to dentists.

LEGISLATIVE COUNSEL'S DIGEST

SB 562, as amended, Galgiani. Dentists: mobile or portable dental units.

Existing law, the Dental Practice Act, provides for the licensure and regulation by the Dental Board of California of those engaged in the practice of dentistry. Existing law provides that a person practices dentistry if the person, among other things, manages or conducts as manager, proprietor, conductor, lessor, or otherwise, in any place where dental operations are performed. Existing law authorizes a dentist to operate one mobile dental clinic or unit that is registered and operated in accordance with regulations adopted by the board. Existing law exempts specified mobile units from those requirements. Other provisions of existing law, the Mobile Health Care Services Act, require, subject to specified exemptions, licensure by the State Department of Health Care Services to operate a mobile service unit.

This bill would eliminate the one mobile dental clinic or unit limit and would ~~authorize a licensed dentist to operate~~ *require* a mobile dental unit or *a dental practice that routinely uses portable dental unit, as defined, that is units, as defined, to be* registered and operated in

accordance with the regulations of the board. The bill would ~~authorize require any regulations adopted by the board to adopt regulations, including, but not limited to, pertaining to these matters to require the registrant to identify a licensed dentist responsible for the mobile dental unit or portable practice, and to include requirements for availability of followup and emergency care, maintenance, maintenance and availability of provider and patient records, and treatment information to be provided to patients and other appropriate parties.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1657 of the Business and Professions  
2 Code is amended to read:  
3 1657. (a) For the purposes of this section, the following  
4 definitions shall apply:  
5 (1) “Mobile dental unit” means a self-contained facility, *which*  
6 *may include a trailer or van*, in which dentistry ~~will be~~ *is* practiced  
7 that may be moved, towed, or transported from one location to  
8 another.  
9 (2) “Portable dental unit” means ~~dental equipment housed in a~~  
10 *self-contained unit housing equipment* used for providing dental  
11 treatment that is ~~routinely~~ transported to, and used on a temporary  
12 basis at, ~~a nondental office location~~ *locations*.  
13 (b) A mobile dental unit ~~or, or a dental practice that routinely~~  
14 *uses portable dental-unit units to provide treatment in nondental*  
15 *office locations*, shall be registered and operated in accordance  
16 with regulations established by the board. These regulations shall  
17 not be designed to prevent or lessen competition in service areas.  
18 The regulations ~~may~~ *shall require the registrant to identify a*  
19 *licensed dentist responsible for the mobile dental unit or portable*  
20 *practice, and shall include, but shall not be limited to, requirements*  
21 *for availability of followup and emergency care, maintenance and*  
22 *availability of provider and patient records, and treatment*  
23 *information to be provided to patients and other appropriate parties.*  
24 A mobile dental unit, or a *dental practice using portable dental*  
25 *unit units*, registered and operated in accordance with the board’s  
26 regulations and that has paid the fees established by the board,  
27 including a mobile dental unit registered for the purpose specified

1 in subdivision (e), shall otherwise be ~~exempted~~ *exempt* from this  
2 article and Article 3.5 (commencing with Section 1658).

3 (c) A mobile service unit, as defined in subdivision (b) of  
4 Section 1765.105 of the Health and Safety Code, and a mobile  
5 dental unit or portable dental unit operated by an entity that is  
6 exempt from licensure pursuant to subdivision (b), (c), or (h) of  
7 Section 1206 of the Health and Safety Code, are exempt from this  
8 article and Article 3.5 (commencing with Section 1658).  
9 Notwithstanding this exemption, the owner or operator of the  
10 mobile unit shall notify the board within 60 days of the date on  
11 which dental services are first delivered in the mobile unit, or the  
12 date on which the mobile unit's application pursuant to Section  
13 1765.130 of the Health and Safety Code is approved, whichever  
14 is earlier.

15 (d) A licensee practicing in a mobile unit described in  
16 subdivision (c) is not subject to subdivision (b) as to that mobile  
17 unit.

18 (e) Notwithstanding Section 1625, a licensed dentist shall be  
19 permitted to operate a mobile dental unit provided by his or her  
20 property and casualty insurer as a temporary substitute site for the  
21 practice registered by him or her pursuant to Section 1650 as long  
22 as both of the following apply:

23 (1) The licensed dentist's registered place of practice has been  
24 rendered and remains unusable due to loss or calamity.

25 (2) The licensee's insurer registers the mobile dental unit with  
26 the board in compliance with subdivision (b).